

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DENNIS IHLENFELD,

Plaintiff,

v.

DARBY BOROUGH POLICE
DEPARTMENT *et al.*,

Defendants.

CIVIL ACTION
No. 16-01990

ORDER

AND NOW, this 13th day of January, 2017, after consideration of Defendant's Motion to Dismiss Plaintiff's First Amended Complaint, (ECF No. 15), and Dennis Ihlenfeld's Response, (ECF No. 17), it is hereby **ORDERED** that the motion is **GRANTED**.

Ihlenfeld may file a Second Amended Complaint on or before **January 27, 2017** with respect to his § 1983 claims under a Fourteenth Amendment theory of liability.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.